

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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M&T MORTGAGE CORP.,

Plaintiff,

-against-

LEO WHITE et al.,

04-CV-4775 (NGG) (VVP)

Defendants.

and

LEO WHITE,

Third-Party Plaintiff,

ORDER

against

BETTER HOMES DEPOT, INC., et al.,

Third-Party Defendants.

-----x

LINDA COUNCIL and KIMBERLY COUNCIL,

Plaintiffs,

-against-

04-CV-5620 (NGG) (VVP)

BETTER HOMES DEPOT, INC., et al.,

Defendants.

-----x

NICHOLAS G. GARAUFIS, United States District Judge.

On January 30, 2009, several parties in the above-captioned cases filed cross-motions for summary judgment. (Motion for Summary Judgment by Better Homes Depot, Inc. and Madison

Home Equities, Inc. (Docket Entry #279, No. 04-CV-4775; Docket Entry #310, No. 04-CV-5620); Motion for Summary Judgment by Defendant/Third-Party Plaintiff Leo White and Plaintiffs Linda Council and Kimberly Council (Docket Entry #282, No. 04-CV-4775; Docket Entry #313, No. 04-CV-5620).) The court refers these two motions to Magistrate Judge Viktor V. Pohorelsky for a Report and Recommendation.

SO ORDERED.

s/Nicholas G. Garaufis

Dated: April 15, 2009
Brooklyn, N.Y.

NICHOLAS G. GARAUFIS
United States District Judge